

Payment Record

Each return must be filed when due, even if no tax is owed.

Annual filers	Quarterly filers	Monthly filers	Due date	Amount due	Amount paid	Check number
		January	Feb 29, 2008	\$	\$	
		February	Mar 31, 2008			
	Jan through Mar	March	Apr 30, 2008			
		April	Jun 2, 2008			
		May	Jun 30, 2008			
	Apr through Jun	June	Jul 31, 2008			
		July	Sep 2, 2008			
		August	Sep 30, 2008			
	Jul through Sep	September	Oct 31, 2008			
		October	Dec 1, 2008			
		November	Dec 31, 2008			
Jan through Dec	Oct through Dec	December	Feb 2, 2009			
Annual Reconciliation			Mar 2, 2009 (or Mar 31, 2009 if filing electronically)			

GENERAL INSTRUCTIONS

This booklet contains the forms needed to report and remit payment of Utah payroll withholding or mineral production withholding tax. Your Utah withholding tax license may be revoked for failure to comply with Utah law, specifically filing and payment requirements. **Verify your Utah withholding tax license/account number printed on the coupons, and the filing period at the time of each filing.**

Mineral Production Withholding Definitions

The following terms are used interchangeably:

- Employer also means producer/first purchaser.
- Employee also means working interest, royalty interest, overriding royalty interest, or production payment, or any other type of payment tied to production, including advance royalties or prepayments.
- W-2 also means TC-675R.

Income Subject to Utah Withholding (see Pub 14)

Utah income tax should be withheld for:

- Wages paid employees performing services within Utah,
- Wages paid Utah residents working outside Utah, and

- Gross production payments to working interest, royalty interest, or overriding royalty owners for mineral production within Utah.

Utah tax may also be withheld from payments reported on forms 1099, or may be required under UC 59-10-405.

Changes in Reporting Periods – The Tax Commission annually reviews each withholding account to determine if the reporting period needs to be changed. If your reporting period is changed, you will receive a notification letter and a new coupon booklet.

Monthly Return, TC-96M – File each monthly return on or before the last day of the following month. Monthly filers must file twelve monthly returns for the year. You must file a return for each month, even if there is no tax liability.

Quarterly Return, TC-96Q – File each quarterly return on or before the last day of the month following the end of the quarter. Quarterly filers must file four quarterly returns for the year. You must file a return for each quarter, even if there is no tax liability.

Annual (yearly) Return, TC-96Y – File the annual return for the calendar year on or before January 31 of the following year. You must file a return each year, even if there is no tax liability. Annual withholding tax filing is allowed if:

- You had household employees and filed Form 1040 Schedule H with your federal income tax return, or
- You withheld less than \$1,000 on a calendar year basis.

If you qualify for annual filing, complete form TC-14, Election to File Withholding Returns and Payments Annually.

Annual Reconciliation, TC-96R – All employers must annually file a reconciliation, balancing their periodic returns (forms TC-96M, TC-96Q or TC-96Y) with withholding tax remitted. If not filing the reconciliation electronically, include with the TC-96R paper copies of all W-2, TC-675R and 1099 forms having Utah withholding, and showing the amounts paid and withheld, as well as the federal identification number (EIN) and Utah withholding tax license/account number. Also, enter these numbers on the TC-96R.

Box 3 on the TC-96R should equal box 4, the sum of box 1 from all the periodic returns filed for the reconciliation period. If these amounts are not the same, file form TC-96A, Amended Return to bring the numbers into balance. Example: For a quarterly filer, TC-96R, box 4 should be the sum of box 1 on all four quarterly returns

(TC-96Q) filed during the year. In addition, the total state taxes withheld from box 17 of the W-2s submitted must equal the amount declared in TC-96R, box 3. See instructions below for filing the TC-96A, Amended Return.

Employers having 250 or more W-2 forms must file online. See instructions in Pub 32. Other employers may file paper copies, but are encouraged to file online.

Annual Due Date – If filing the annual reconciliation and withholding documents electronically over the internet, the due date is March 31 following the year being reported. If filing the annual reconciliation and withholding documents on paper, the due date is February 28 following the year being reported.

Corrected Reconciliation, TC-96RC – If changes must be made to a previously filed annual reconciliation, complete a TC-96RC showing the original amounts, adjustments and net amounts. Include copies of all W-2, TC-675R and 1099 forms corrected.

Mailing the Annual Reconciliation – Annual filers may send the annual return coupon and payment in the same envelope as the annual reconciliation and withholding documents, but should do so by the due date of the annual return.

Quarterly and monthly filers should send the annual reconciliation separate from the fourth quarter or twelfth month return.

If the reconciliation shows additional taxes or credits are due, file an amended return, form TC-96A, for the appropriate period, with payment for the additional taxes due to bring the reconciliation into balance prior to filing the reconciliation.

Amended Return, TC-96A – Use this form to amend a previously filed return. Write the tax period you are amending in the space provided. Enter the total corrected withholding amount on line 1, not the amount of the adjustment.

If additional taxes are owed, include the amount owed plus interest from the original filing period due date to the date amended. Unpaid balances will result in additional penalties and/or interest. See Pub 58, Utah Interest and Penalties.

If a refund is due, include a letter indicating whether the refund is to be returned or credited to future periods.

Note: If an amended return is filed after the annual reconciliation, you must also file a corrected reconciliation, form TC-96RC.

Notice of Change, TC-96C – File this form if you change your business address or mailing address, change your business name,

sell or discontinue your business, incorporate, change ownership, or cease to pay wages.

Name and address changes do not require a new booklet to be issued. Continue to use the forms in this booklet. The Tax Commission will update your account and the new name and/or address will be used in future correspondence.

If the business is sold or the ownership status is changed (e.g. sole proprietor to partnership), the new owner(s) cannot use the Utah withholding tax license/account number nor report withholding on the returns of the previous owner. The new owner(s) must apply for a new withholding account number using form TC-69 or online at www.business.utah.gov/registration.

Remittance and Mailing – Make checks or money orders payable to the Utah State Tax Commission and mail with the **original coupon**, using the envelopes provided. Make sure the Tax Commission address on the return shows through the window of the envelope. Place both check and return facing the same direction.

Records – You are required to maintain records of income paid to employees and taxes withheld. For your convenience, a payment record is provided on the inside cover of this booklet.

Penalties and interest – Utah law provides for penalties and interest on late or non-filed returns, returns filed without full payment and returns filed on the wrong form. To avoid penalty and interest, returns must be postmarked or delivered with full payment by the due date. Returns with due dates on Saturday, Sunday, or legal holidays, are due the next business day.

Failure to properly file the TC-96R with accompanying W-2, TC-675R or 1099 forms will result in a penalty of \$50 per form (up to \$1,000). This penalty also applies if the Utah withholding account number is not shown on each return, TC-96R, W-2, TC-675R and/or 1099 form submitted.

Processing – Use dark ink to write amounts in the boxes provided. Do not make marks near the scan line at the bottom of the return.

Online Payment Option – You may pay your withholding tax online with a credit card or with an electronic check. Each online payment is subject to a convenience fee. To pay online, access Payment Express at paymentexpress.utah.gov and follow the step-by-step instructions.

Electronic Funds Transfer – The Tax Commission has a voluntary ACH Credit program for remitting withholding tax

payments by EFT. If you would like information about this program, see Pub 43 on our website at tax.utah.gov or call (801) 297-7626.

Payroll Service Providers – If you use a payroll service provider, returns they submit on your behalf must include a valid Utah withholding tax license/account number on each withholding coupon, the annual reconciliation form, and each W-2, 1099, or TC-675R. Failure to include this identification on all returns sent the Tax Commission may result in a failure to file status, not receiving proper credit for payments, or penalties for failure to submit complete returns.

Assistance – If you need additional information, visit our website at tax.utah.gov or call (801) 297-2200 or 1-800-662-4335. Please have your account number available if you call. On our website, you can download the following publications and forms:

Pub 14 – Withholding Tax Guide

Pub 32 – Annual Reporting of Forms W-2, W-2c, 1099-R & TC-675R

Pub 43 – Withholding Tax EFT

Form TC-14 – Election to File Withholding Returns and Payments Annually

Forms TC-96M (monthly), TC-96Q (quarterly), TC-96Y (yearly), TC-96A (amended), TC-96R (annual reconciliation), and TC-96RC (corrected annual reconciliation)